

1 JOSEPH P. RUSSONIELLO (CABN 44332)
United States Attorney

2 BRIAN J. STRETCH(CABN 163973)
3 Chief, Criminal Division

4 W.S. WILSON LEUNG (CABN 190939)
5 Assistant United States Attorney

6 450 Golden Gate Avenue, Box 36055
7 San Francisco, California 94102-3495
Telephone: (415) 436-6758
FAX: (415) 436-6753

8 Attorneys for the United States of America

9
10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 SAN FRANCISCO DIVISION

13 UNITED STATES OF AMERICA,) No. S2-CR-08-0730-WHA
14)
15 v.)
16 IVAN CERNA, et al.)
17 Defendants.)
18 _____)
STIPULATION AND [PROPOSED]
ORDER EXCLUDING TIME FROM
SPEEDY TRIAL ACT CALCULATIONS

19 The parties stipulate, and the Court finds, as follows:

20 1. Defendants IVAN CERNA, MARVIN CARCAMO, ANGEL NOEL GUEVARA,
21 MORIS FLORES, GUILLERMO HERRERA, JONATHAN CRUZ-RAMIREZ, WALTER
22 CRUZ-ZAVALA, WALTER PALMA, DANIEL PORTILLO, ERICK LOPEZ, WALTER
23 CHINCHILLA-LINAR, CESAR ALVARADO, MELVIN MALDONADO, RODRIGO
24 MOLINA, MAURICIO URIAS, JUDITH SOSA, JOHN LACSAMANA BRIEZ, JOSE
25 ANTUNEZ, ARISTIDES CARCAMO, RAFAEL MONTOYA, RENE MONTES-MAYORGA,
26 RODIL NOCHEZ, and MARLON LUMANG appeared at a status conference before the Court
27 on February 10, 2009. At the request of the parties, the Court continued the matter and set a
28 further status conference for March 10, 2009 at 2:00 pm to allow the defendants to take stock of

the discovery in this matter and to make the logistical arrangements necessary to review the discovery and begin the preparation of their defense.

2. Because of the substantial volume of discovery in this matter and the complex nature of this case, the Court found, without objection from any of the above-named defendants, that the requested continuance would serve the interests of justice by ensuring the effective representation of counsel. Accordingly, the Court also ordered that the time until March 10, 2009 be excluded from Speedy Trial Act calculations, pursuant to 18 U.S.C. § 3161(h)(8)(A) and B, and this Order hereby memorializes the exclusion of time that was previously ordered.

3. Following the February 10, 2009 conference, the parties realized that there was a scheduling conflict with the March 10, 2009 date. Accordingly, the parties respectfully request that the March 10, 2009 date be continued until March 17, 2009, and that time be excluded under the Speedy Trial Act until that date for the same reasons indicated above.

IT IS SO STIPULATED.

DATED: February 17, 2009

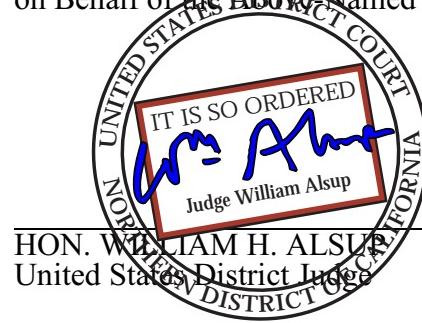
/s/
W.S. WILSON LEUNG
Assistant United States Attorney

DATED: February 17, 2009

/s/
MARTIN SABELLI, ESQ.
Attorney for Defendant Guillermo Herrera,
on Behalf of the Above-Named Defendants

IT IS SO ORDERED.

DATED: February 17, 2009



HON. WILLIAM H. ALSUP
United States District Judge